



General Assembly

February Session, 2010

Raised Bill No. 5158

LCO No. 866

00866_____PS_

Referred to Committee on Public Safety and Security

Introduced by:
(PS)

AN ACT CONCERNING THE REGULATION OF FIREARMS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 29-152m of the 2010 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2010*):

4 (a) No professional bondsman licensed under chapter 533, surety
5 bail bond agent licensed under chapter 700f or bail enforcement agent
6 licensed under sections 29-152f to 29-152i, inclusive, shall carry a
7 pistol, revolver or other firearm while engaging in the business of a
8 professional bondsman, surety bail bond agent or bail enforcement
9 agent, as the case may be, or while traveling to or from such business
10 unless such bondsman or agent obtains a special permit from the
11 Commissioner of Public Safety in accordance with the provisions of
12 subsection (b) of this section. The permit required under this section
13 shall be in addition to the permit requirement imposed under section
14 29-28.

15 (b) The Commissioner of Public Safety may grant to any
16 professional bondsman licensed under chapter 533, surety bail bond

17 agent licensed under chapter 700f or bail enforcement agent licensed
18 under sections 29-152f to 29-152i, inclusive, a permit to carry a pistol or
19 revolver or other firearm while engaging in the business of
20 professional bondsman, surety bail bond agent or bail enforcement
21 agent, as the case may be, or while traveling to or from such business,
22 provided that such bondsman or agent has proven to the satisfaction of
23 the commissioner that such bondsman or agent has successfully
24 completed a course, approved by the commissioner, of training in the
25 safety and use of firearms. [The commissioner shall adopt regulations
26 in accordance with the provisions of chapter 54 concerning the
27 approval of schools, institutions or organizations offering such
28 courses, requirements for instructors and the required number of
29 hours and content of such courses.]

30 (c) Application for a permit issued pursuant to this section shall be
31 made on forms provided by the commissioner and shall be
32 accompanied by a sixty-two-dollar fee. Such permit shall have an
33 expiration date that coincides with that of the state permit to carry a
34 pistol or revolver issued pursuant to section 29-28. A permit issued
35 pursuant to this section shall be renewable every five years with a
36 renewal fee of sixty-two dollars. Each such bondsman or agent shall
37 successfully complete an annual firearms safety refresher course
38 approved by the commissioner as a condition of such renewal.

39 (d) The commissioner shall send, by first class mail, a notice of
40 expiration of the bail enforcement agent firearms permit issued
41 pursuant to this section, together with a notice of expiration of the
42 permit to carry a pistol or revolver issued pursuant to section 29-28, in
43 one combined form. The commissioner shall send such combined
44 notice to the holder of the permits not later than ninety days before the
45 date of the expiration of both permits, and shall enclose a form for
46 renewal of the permits. A bail enforcement agent firearms permit
47 issued pursuant to this section shall be valid for a period of ninety
48 days after the expiration date, except this provision shall not apply if
49 the permit to carry a pistol or revolver has been revoked or revocation

50 is pending pursuant to section 29-32, in which case the bail
51 enforcement agent firearms permit shall also be revoked.

52 (e) The commissioner shall adopt regulations in accordance with the
53 provisions of chapter 54 concerning the approval of schools,
54 institutions or organizations offering such firearms safety courses,
55 qualifications for instructors and the required number of hours and
56 content of such courses.

57 Sec. 2. Section 53-206c of the general statutes is repealed and the
58 following is substituted in lieu thereof (*Effective October 1, 2010*):

59 (a) For the purposes of this section:

60 (1) "Facsimile of a firearm" means (A) any nonfunctional imitation of
61 an original firearm which was manufactured, designed and produced
62 since 1898, or (B) any nonfunctional representation of a firearm other
63 than an imitation of an original firearm, provided such representation
64 could reasonably be perceived to be a real firearm. Such term does not
65 include any look-a-like, nonfiring, collector replica of an antique
66 firearm developed prior to 1898, or traditional BB. or pellet-firing air
67 gun that expels a metallic or paint-contained projectile through the
68 force of air pressure.

69 (2) "Firearm" means firearm as defined in section 53a-3.

70 (b) No person shall give, offer for sale or sell any facsimile of a
71 firearm. The provisions of this subsection shall not apply to any
72 facsimile of a firearm, which, because of its distinct color, exaggerated
73 size or other design feature, cannot reasonably be perceived to be a
74 real firearm.

75 (c) Except in self defense, no person shall carry, draw, exhibit or
76 brandish a facsimile of a firearm or simulate a firearm in a threatening
77 manner, with intent to frighten, vex or harass another person.

78 (d) No person shall draw, exhibit or brandish a facsimile of a

79 firearm or simulate a firearm in the presence of a peace officer,
80 firefighter, emergency medical technician or paramedic engaged in the
81 performance of his duties knowing or having reason to know that such
82 peace officer, firefighter, emergency medical technician or paramedic
83 is engaged in the performance of his duties, with intent to impede such
84 person in the performance of such duties.

85 (e) The provisions of this section shall not apply to any person
86 participating in a state-certified qualified production, as defined in
87 section 12-217jj.

88 ~~[(e)]~~ (f) Any person who violates any provision of this section shall
89 be guilty of a class B misdemeanor.

90 Sec. 3. Section 53-206d of the general statutes is repealed and the
91 following is substituted in lieu thereof (*Effective October 1, 2010*):

92 (a) (1) No person shall carry a pistol, revolver, machine gun,
93 shotgun, rifle or other firearm, which is loaded and from which a shot
94 may be discharged, upon his person (A) while under the influence of
95 intoxicating liquor or any drug, or both, or (B) while the ratio of
96 alcohol in the blood of such person is ~~[ten-hundredths]~~ eight-
97 hundredths of one per cent or more of alcohol, by weight.

98 (2) Any person who violates any provision of this subsection shall
99 be guilty of a class B misdemeanor.

100 (b) (1) No person shall engage in hunting while under the influence
101 of intoxicating liquor or any drug, or both, or while impaired by the
102 consumption of intoxicating liquor. A person shall be deemed under
103 the influence when at the time of the alleged offense the person (A) is
104 under the influence of intoxicating liquor or any drug, or both, or (B)
105 has an elevated blood alcohol content. For the purposes of this
106 subdivision, "elevated blood alcohol content" means (i) a ratio of
107 alcohol in the blood of such person that is ~~[ten-hundredths]~~ eight-
108 hundredths of one per cent or more of alcohol, by weight, or (ii) if such

109 person has been convicted of a violation of this subsection, a ratio of
110 alcohol in the blood of such person that is seven-hundredths of one per
111 cent or more of alcohol, by weight. A person shall be deemed impaired
112 when at the time of the alleged offense the ratio of alcohol in the blood
113 of such person was more than seven-hundredths of one per cent of
114 alcohol, by weight, but less than [ten-hundredths] eight-hundredths of
115 one per cent of alcohol, by weight.

116 (2) Any person who violates any provision of this subsection shall
117 be guilty of a class A misdemeanor.

118 (3) Enforcement officers of the Department of Environmental
119 Protection are empowered to arrest for a violation of the provisions of
120 this subsection.

121 Sec. 4. (NEW) (*Effective October 1, 2010*) (a) (1) On and after October
122 1, 2010, no person may be an instructor for the course in the criminal
123 justice system required pursuant to section 29-152f of the general
124 statutes or the course in the safety and use of firearms required
125 pursuant to subsection (c) of section 29-152m of the general statutes, as
126 amended by this act, without the approval of the Commissioner of
127 Public Safety. Application for such approval shall be submitted on a
128 form prescribed by the commissioner. Such application shall be made
129 under oath and shall contain the following: (A) The applicant's name,
130 address, and date and place of birth; (B) the applicant's employment
131 for the five years prior to the date of application; (C) the applicant's
132 education or training in the subject matter of the courses required by
133 section 29-152f of the general statutes or subsection (c) of section 29-
134 152m of the general statutes, as amended by this act, as applicable; (D)
135 any convictions for violations of the law; and (E) such other
136 information as the commissioner may require by any regulation
137 adopted pursuant to this section to investigate the character,
138 competency and integrity of the applicant.

139 (2) No person shall be approved as an instructor who (A) has been
140 convicted of a felony or any misdemeanor pursuant to section 21a-279,

141 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-173, 53a-175, 53a-
142 176, 53a-178 or 53a-181d of the general statutes, (B) has been denied a
143 license as a professional bondsman, surety bail bond agent or bail
144 enforcement agent, or (C) has had said license revoked or suspended.

145 (3) If a course conducted by an instructor pursuant to section 29-
146 152f of the general statutes or subsection (c) of section 29-152m of the
147 general statutes, as amended by this act, is approved by the
148 commissioner on or before September 30, 2010, the instructor of such
149 course shall have until April 1, 2011, to apply for approval as an
150 instructor in accordance with subdivision (1) of this subsection.

151 (b) Upon being satisfied, after investigation, that the applicant is a
152 suitable person to receive approval as an instructor and that the
153 applicant satisfies the requirements of subsection (a) of this section, the
154 commissioner may issue an approval to such applicant to do business
155 in this state as an approved instructor. The fee for such approval shall
156 be fifty dollars. The term for such approval shall not exceed two years
157 from the date of the initial approval. Not later than two business days
158 after any change of address, any person approved as an instructor
159 under this section shall notify the commissioner of such change and
160 such notification shall include both the old and new addresses.

161 (c) Each person approved as an instructor under this section may
162 apply for renewal of such approval on a form provided by the
163 Commissioner of Public Safety that provides for the disclosure of such
164 information as said commissioner requires to determine whether such
165 instructor's suitability to continue as an instructor has changed since
166 the issuance of the prior approval. The fee for such renewal shall be
167 fifty dollars.

168 (d) The commissioner may adopt regulations, in accordance with
169 the provisions of chapter 54 of the general statutes, to implement the
170 provisions of this section.

171 (e) Any person who violates any provision of subsection (a) of this

172 section shall be fined seventy-five dollars for each offense. Each
173 distinct violation of subsection (a) of this section shall be a separate
174 offense and, in the case of a continuing violation, each day thereof shall
175 be deemed a separate offense.

176 Sec. 5. (NEW) (*Effective October 1, 2010*) The Commissioner of Public
177 Safety may suspend, revoke or refuse to renew the approval of any
178 instructor pursuant to section 4 of this act, provided notice shall have
179 been given to the instructor to appear before the commissioner to show
180 cause why the approval should not be suspended, revoked or refused
181 renewal, upon a finding by the commissioner that the instructor: (1)
182 Has violated any of the terms or provisions of section 4 of this act; (2)
183 has practiced fraud, deceit or misrepresentation; (3) has made a
184 material misstatement in the application for issuance or renewal of
185 such approval; (4) has demonstrated incompetence or
186 untrustworthiness in the conduct of the instructor's courses; (5) has
187 been convicted of a felony, a misdemeanor specified in section 29-152f
188 of the general statutes, or other crime affecting the instructor's honesty,
189 integrity or moral fitness; or (6) is otherwise unsuitable. Any party
190 aggrieved by an order of the commissioner under this section may
191 appeal therefrom in accordance with the provisions of section 4-183 of
192 the general statutes, except venue for such appeal shall be in the
193 judicial district of Hartford.

194 Sec. 6. Subsection (b) of section 51-164n of the 2010 supplement to
195 the general statutes is repealed and the following is substituted in lieu
196 thereof (*Effective October 1, 2010*):

197 (b) Notwithstanding any provision of the general statutes, any
198 person who is alleged to have committed (1) a violation under the
199 provisions of section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-
200 283, 7-325, 7-393, 8-25, 8-27, 9-63, 9-296, 9-305, 9-322, 9-350, 10-193, 10-
201 197, 10-198, 10-230, 10-251, 10-254, 12-52, 12-170aa, 12-292 or 12-326g,
202 subdivision (4) of section 12-408, subdivision (3), (5) or (6) of section
203 12-411, section 12-435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-

204 113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-
205 143b, 13a-247 or 13a-253, subsection (f) of section 13b-42, section 13b-
206 90, 13b-221, 13b-292, 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or
207 13b-410c, subsection (a), (b) or (c) of section 13b-412, section 13b-414,
208 subsection (d) of section 14-12, section 14-20a or 14-27a, subsection (e)
209 of section 14-34a, subsection (d) of section 14-35, section 14-43, 14-49,
210 14-50a or 14-58, subsection (b) of section 14-66, section 14-66a, 14-66b
211 or 14-67a, subsection (g) of section 14-80, subsection (f) of section 14-
212 80h, section 14-97a, 14-100b, 14-103a, 14-106a, 14-106c, 14-146, 14-152,
213 14-153 or 14-163b, a first violation as specified in subsection (f) of
214 section 14-164i, section 14-219 as specified in subsection (e) of said
215 section, subdivision (1) of section 14-223a, section 14-240, 14-249, 14-
216 250 or 14-253a, subsection (a) of section 14-261a, section 14-262, 14-264,
217 14-267a, 14-269, 14-270, 14-275a, 14-278 or 14-279, subsection (e) of
218 section 14-283, section 14-291, 14-293b, 14-296aa, 14-319, 14-320, 14-321,
219 14-325a, 14-326, 14-330 or 14-332a, subdivision (1), (2) or (3) of section
220 14-386a, section 15-33, subsection (a) of section 15-115, section 16-256,
221 16-256e, 16a-15 or 16a-22, subsection (a) or (b) of section 16a-22h,
222 section 17a-24, 17a-145, 17a-149, 17a-152, 17a-465, 17a-642, 17b-124,
223 17b-131, 17b-137 or 17b-734, subsection (b) of section 17b-736, section
224 19a-30, 19a-33, 19a-39 or 19a-87, subsection (b) of section 19a-87a,
225 section 19a-91, 19a-105, 19a-107, 19a-215, 19a-219, 19a-222, 19a-224,
226 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-336, 19a-338,
227 19a-339, 19a-340, 19a-425, 19a-502, 20-7a, 20-14, 20-158, 20-231, 20-257,
228 20-265 or 20-324e, subsection (a) of section 20-341, section 20-341l, 20-
229 597, 20-608, 20-610, 21-30, 21-38, 21-39, 21-43, 21-47, 21-48, 21-63, 21-
230 76a, 21a-21, 21a-25, 21a-26 or 21a-30, subsection (a) of section 21a-37,
231 section 21a-46, 21a-61, 21a-63 or 21a-77, subsection (b) of section 21a-
232 79, section 21a-85, 21a-154, 21a-159, 22-13, 22-14, 22-15, 22-16, 22-29, 22-
233 34, 22-35, 22-36, 22-38, 22-39, 22-39a, 22-39b, 22-39c, 22-39d, 22-39e, 22-
234 49, 22-54, 22-61, 22-89, 22-90, 22-98, 22-99, 22-100, 22-111o, 22-279, 22-
235 280a, 22-318a, 22-320h, 22-324a, 22-326 or 22-342, subsection (b) or (e)
236 of section 22-344, section 22-359, 22-366, 22-391, 22-413, 22-414, 22-415,
237 22a-66a or 22a-246, subsection (a) of section 22a-250, subsection (e) of

238 section 22a-256h, section 22a-381d, 22a-449, 22a-461, 23-37, 23-38, 23-46
 239 or 23-61b, subsection (a) or (b) of section 23-65, section 25-37, 25-40, 26-
 240 19, 26-21, 26-31, 26-40, 26-40a, 26-49, 26-54, 26-59, 26-61, 26-64, 26-79,
 241 26-89, 26-97, 26-107, 26-117, 26-128, 26-131, 26-132, 26-138, 26-141, 26-
 242 207, 26-215, 26-224a, 26-227, 26-230, 26-294, 28-13, 29-6a, 29-109, 29-
 243 143o, 29-143z, section 4 of this act or 29-156a, subsection (b), (d), (e) or
 244 (g) of section 29-161q, section 29-161y, 29-161z, 29-198, 29-210, 29-243,
 245 29-277, subsection (c) of section 29-291c, section 29-316, 29-318, 29-381,
 246 30-48a, 30-86a, 31-3, 31-10, 31-11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18,
 247 31-23, 31-24, 31-25, 31-28, 31-32, 31-36, 31-38, 31-38a, 31-40, 31-44, 31-47,
 248 31-48, 31-51, 31-51k, 31-52, 31-52a or 31-54, subsection (a) or (c) of
 249 section 31-69, section 31-70, 31-74, 31-75, 31-76, 31-76a, 31-89b or 31-
 250 134, subsection (i) of section 31-273, section 31-288, 36a-787, 42-230,
 251 45a-450, 45a-634 or 45a-658, subdivision (13) or (14) of section 46a-54,
 252 section 46a-59, 46b-22, 46b-24, 46b-34, 46b-38dd, 46b-38gg, 46b-38kk,
 253 47-34a, 47-47, 49-8a, 49-16 or 53-133, or section 53-212a, 53-249a, 53-252,
 254 53-264, 53-302a, 53-303e, 53-311a, 53-321, 53-322, 53-323, 53-331, 53-344
 255 or 53-450, or (2) a violation under the provisions of chapter 268, or (3) a
 256 violation of any regulation adopted in accordance with the provisions
 257 of section 12-484, 12-487 or 13b-410, or (4) a violation of any ordinance,
 258 regulation or bylaw of any town, city or borough, except violations of
 259 building codes and the health code, for which the penalty exceeds
 260 ninety dollars but does not exceed two hundred fifty dollars, unless
 261 such town, city or borough has established a payment and hearing
 262 procedure for such violation pursuant to section 7-152c, shall follow
 263 the procedures set forth in this section.

264 Sec. 7. Subsection (e) of section 29-33 of the general statutes is
 265 repealed and the following is substituted in lieu thereof (*Effective*
 266 *October 1, 2010*):

267 (e) Upon the sale, delivery or other transfer of any pistol or revolver,
 268 the person making the purchase or to whom the same is delivered or
 269 transferred shall sign a receipt for such pistol or revolver which shall
 270 contain the name, date and place of birth, and address of such person,

271 the date of sale, the caliber, make, model and manufacturer's number
272 and a general description of such pistol or revolver, the identification
273 number of such person's permit to carry pistols or revolvers, issued
274 pursuant to subsection (b) of section 29-28, permit to sell at retail
275 pistols or revolvers, issued pursuant to subsection (a) of said section,
276 or eligibility certificate for a pistol or revolver, issued pursuant to
277 section 29-36f, as amended by this act, if any, and the authorization
278 number designated for the transfer by the Department of Public Safety.
279 The person, firm or corporation selling such pistol or revolver or
280 making delivery or transfer thereof shall give one copy of the receipt to
281 the person making the purchase of such pistol or revolver or to whom
282 the same is delivered or transferred, shall retain one copy of the receipt
283 for at least five years, and shall send, by first class mail, or
284 electronically transmit, within [forty-eight] twenty-four hours of such
285 sale, delivery or other transfer, one copy of the receipt to the
286 Commissioner of Public Safety and one copy of the receipt to the chief
287 of police or, where there is no chief of police, the warden of the
288 borough or the [first selectman] chief executive officer of the town, as
289 the case may be, of the town in which the transferee resides.

290 Sec. 8. Section 29-36f of the general statutes is repealed and the
291 following is substituted in lieu thereof (*Effective October 1, 2010*):

292 (a) Any person who is twenty-one years of age or older may apply
293 to the Commissioner of Public Safety for an eligibility certificate for a
294 pistol or revolver.

295 (b) The Commissioner of Public Safety shall issue an eligibility
296 certificate unless said commissioner finds that the applicant: (1) Has
297 failed to successfully complete a course approved by the
298 Commissioner of Public Safety in the safety and use of pistols and
299 revolvers including, but not limited to, a safety or training course in
300 the use of pistols and revolvers available to the public offered by a law
301 enforcement agency, a private or public educational institution or a
302 firearms training school, utilizing instructors certified by the National

303 Rifle Association or the Department of Environmental Protection and a
304 safety or training course in the use of pistols or revolvers conducted by
305 an instructor certified by the state or the National Rifle Association; (2)
306 has been convicted of a felony or of a violation of subsection (c) of
307 section 21a-279, section 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96,
308 53a-175, 53a-176, 53a-178 or 53a-181d; (3) has been convicted as
309 delinquent for the commission of a serious juvenile offense, as defined
310 in section 46b-120; (4) has been discharged from custody within the
311 preceding twenty years after having been found not guilty of a crime
312 by reason of mental disease or defect pursuant to section 53a-13; (5)
313 has been confined in a hospital for persons with psychiatric
314 disabilities, as defined in section 17a-495, within the preceding twelve
315 months by order of a probate court; (6) is subject to a restraining or
316 protective order issued by a court in a case involving the use,
317 attempted use or threatened use of physical force against another
318 person; (7) is subject to a firearms seizure order issued pursuant to
319 subsection (d) of section 29-38c after notice and hearing; (8) is
320 prohibited from shipping, transporting, possessing or receiving a
321 firearm pursuant to 18 USC 922(g)(4); or (9) is an alien illegally or
322 unlawfully in the United States or an alien without legal permanent
323 resident status.

324 Sec. 9. Section 29-36g of the general statutes is repealed and the
325 following is substituted in lieu thereof (*Effective October 1, 2010*):

326 (a) Requests for eligibility certificates under section 29-36f, as
327 amended by this act, shall be submitted to the Commissioner of Public
328 Safety on application forms prescribed by the commissioner. No
329 eligibility certificate for a pistol or revolver shall be issued under the
330 provisions of said section unless the applicant for such certificate gives
331 to the Commissioner of Public Safety, upon the commissioner's
332 request, full information concerning the applicant's criminal record
333 and relevant information concerning the applicant's mental health
334 history. The commissioner shall require each applicant to submit to
335 state and national criminal history records checks in accordance with

336 section 29-17a. The commissioner shall take a full description of such
337 applicant. The commissioner shall take the fingerprints of such
338 applicant or conduct any other method of positive identification
339 required by the State Police Bureau of Identification or the Federal
340 Bureau of Investigation. The commissioner shall record the date the
341 fingerprints were taken in the applicant's file and shall conduct
342 criminal history records checks in accordance with section 29-17a. The
343 commissioner shall, within sixty days of receipt of the national
344 criminal history records check from the Federal Bureau of
345 Investigation, either approve the application and issue the eligibility
346 certificate or deny the application and notify the applicant of the
347 reason for such denial in writing.

348 (b) (1) With respect to any application for an eligibility certificate
349 filed with the Commissioner of Public Safety on or before July 1, 1995,
350 the commissioner shall, not later than October 1, 1995, (A) approve the
351 application and issue the eligibility certificate, (B) issue a temporary
352 eligibility certificate, or (C) deny the application and notify the
353 applicant of the reason for such denial in writing.

354 (2) With respect to any application for an eligibility certificate filed
355 with the Commissioner of Public Safety after July 1, 1995, the
356 commissioner shall, [within ninety days] not later than sixty days after
357 notification from the Federal Bureau of Investigation, (A) approve the
358 application and issue the eligibility certificate, [(B) issue a temporary
359 eligibility certificate,] or [(C)] (B) deny the application and notify the
360 applicant of the reason for such denial in writing.

361 [(3) A temporary certificate issued under this subsection shall be
362 valid until such time as the commissioner either approves or denies the
363 application.]

364 (c) An eligibility certificate for a pistol or revolver shall be of such
365 form and content as the commissioner may prescribe, shall be signed
366 by the certificate holder and shall contain an identification number, the
367 name, address, place and date of birth, height, weight and eye color of

368 the certificate holder and a full-face photograph of the certificate
369 holder.

370 (d) A person holding an eligibility certificate issued by the
371 commissioner shall notify the commissioner [within] not later than two
372 business days [of] after any change of [his] address. The notification
373 shall include [his] both the old address and [his] new address of the
374 certificate holder.

375 (e) Notwithstanding the provisions of sections 1-210 and 1-211, the
376 name and address of a person issued an eligibility certificate for a
377 pistol or revolver under the provisions of section 29-36f, as amended
378 by this act, shall be confidential and shall not be disclosed, except (1)
379 such information may be disclosed to law enforcement officials acting
380 in the performance of their duties, (2) the Commissioner of Public
381 Safety may disclose such information to the extent necessary to comply
382 with a request made pursuant to section 29-33, as amended by this act,
383 for verification that such certificate is still valid and has not been
384 suspended or revoked, and (3) such information may be disclosed to
385 the Commissioner of Mental Health and Addiction Services to carry
386 out the provisions of subsection (c) of section 17a-500.

387 (f) An eligibility certificate for a pistol or revolver shall not
388 authorize the holder thereof to carry a pistol or revolver upon his
389 person in circumstances for which a permit to carry a pistol or revolver
390 issued pursuant to subsection (b) of section 29-28 is required under
391 section 29-35.

392 Sec. 10. Section 29-37a of the general statutes is repealed and the
393 following is substituted in lieu thereof (*Effective October 1, 2010*):

394 (a) No person, firm or corporation may deliver [, at retail,] any
395 firearm, as defined in section 53a-3, other than a pistol or revolver, to
396 any person unless such person makes application on a form prescribed
397 and furnished by the Commissioner of Public Safety, which shall be
398 attached by the vendor to the federal sale or transfer document and

399 filed and retained by the vendor for at least twenty years or until such
400 vendor goes out of business. Such application shall be available for
401 inspection during normal business hours by law enforcement officials.
402 No sale or delivery of any firearm shall be made until the expiration of
403 two weeks from the date of the application, and until the person, firm
404 or corporation making such sale, delivery or transfer has insured that
405 such application has been completed properly and has obtained an
406 authorization number from the Commissioner of Public Safety for such
407 sale, delivery or transfer. The Department of Public Safety shall make
408 every effort, including performing the national instant criminal
409 background check, to determine if the applicant is eligible to receive
410 such firearm. If it is determined that the applicant is ineligible to
411 receive such firearm, the Commissioner of Public Safety shall
412 immediately notify the person, firm or corporation to whom such
413 application was made and no such firearm shall be sold or delivered to
414 such applicant by such person, firm or corporation. When any firearm
415 is delivered in connection with the sale or purchase, such firearm shall
416 be enclosed in a package, the paper or wrapping of which shall be
417 securely fastened, and no such firearm when delivered on any sale or
418 purchase shall be loaded or contain any gunpowder or other explosive
419 or any bullet, ball or shell.

420 (b) Upon the delivery of the firearm, the purchaser shall sign in
421 triplicate a receipt for such firearm which shall contain the name, date
422 and place of birth and address of such purchaser, the date of sale,
423 caliber, make, model and manufacturer's number and a general
424 description thereof. Not later than twenty-four hours after such
425 delivery, the vendor shall send by first class mail or electronically
426 transfer one receipt to the Commissioner of Public Safety and one
427 receipt to the chief of police or, where there is no chief of police, the
428 warden of the borough or the first selectman, of the town in which the
429 purchaser resides, and shall retain one receipt, together with the
430 original application, for at least five years. The waiting period specified
431 in subsection (a) of this section during which delivery may not be
432 made [and the provisions of this subsection] shall not apply to any

433 federal marshal, parole officer or peace officer, or to the delivery at
434 retail of (1) any firearm to a holder of a valid state permit to carry a
435 pistol or revolver issued under the provisions of section 29-28 or a
436 valid eligibility certificate issued under the provisions of section 29-36f,
437 as amended by this act, (2) any firearm to an active member of the
438 armed forces of the United States or of any reserve component thereof,
439 (3) any firearm to a holder of a valid hunting license issued pursuant to
440 chapter 490, or (4) antique firearms. For the purposes of this section,
441 "antique firearm" means any firearm which was manufactured in or
442 before 1898 and any replica of such firearm provided such replica is
443 not designed or redesigned for using rimfire or conventional centerfire
444 fixed ammunition except rimfire or conventional centerfire fixed
445 ammunition which is no longer manufactured in the United States and
446 not readily available in the ordinary channel of commercial trade.

447 Sec. 11. Section 29-37g of the general statutes is repealed and the
448 following is substituted in lieu thereof (*Effective October 1, 2010*):

449 (a) For the purposes of this section, (1) "gun show" means any event
450 (A) at which fifty or more firearms are offered or exhibited for sale,
451 transfer or exchange to the public, and (B) at which two or more
452 persons are exhibiting one or more firearms for sale, transfer or
453 exchange to the public; and (2) "gun show promoter" means any
454 person who organizes, plans, promotes or operates a gun show.

455 (b) Not later than thirty days before commencement of a gun show,
456 the gun show promoter shall notify the Commissioner of Public Safety
457 and the chief of police of the town in which the gun show is to take
458 place or, where there is no chief of police, the warden of the borough
459 or the first selectman of the town in which the gun show is to take
460 place of the date, time, duration and location of the gun show.

461 (c) No person, firm or corporation shall sell, deliver or otherwise
462 transfer a firearm at a gun show until such person, firm or corporation
463 has complied with the provisions of section 29-36l.

464 Sec. 12. Section 53a-217 of the general statutes is repealed and the
465 following is substituted in lieu thereof (*Effective October 1, 2010*):

466 (a) A person is guilty of criminal possession of a firearm or
467 electronic defense weapon when such person possesses a firearm or
468 electronic defense weapon and (1) has been convicted of a felony, (2)
469 has been convicted as delinquent for the commission of a serious
470 juvenile offense, as defined in section 46b-120, (3) knows that such
471 person is subject to (A) a restraining or protective order of a court of
472 this state that has been issued against such person, after notice and an
473 opportunity to be heard has been provided to such person, in a case
474 involving the use, attempted use or threatened use of physical force
475 against another person, or (B) a foreign order of protection, as defined
476 in section 46b-15a, that has been issued against such person in a case
477 involving the use, attempted use or threatened use of physical force
478 against another person, (4) knows that such person is subject to a
479 firearms seizure order issued pursuant to subsection (d) of section 29-
480 38c after notice and an opportunity to be heard has been provided to
481 such person, (5) knows that such person is subject to any other order
482 issued by a court of competent jurisdiction that prohibits such
483 possession, or [(5)] (6) is prohibited from shipping, transporting,
484 possessing or receiving a firearm pursuant to 18 USC 922(g)(4). For the
485 purposes of this section, "convicted" means having a judgment of
486 conviction entered by a court of competent jurisdiction.

487 (b) Criminal possession of a firearm or electronic defense weapon is
488 a class D felony, for which two years of the sentence imposed may not
489 be suspended or reduced by the court.

490 Sec. 13. Section 53a-217c of the general statutes is repealed and the
491 following is substituted in lieu thereof (*Effective October 1, 2010*):

492 (a) A person is guilty of criminal possession of a pistol or revolver
493 when such person possesses a pistol or revolver, as defined in section
494 29-27, and (1) has been convicted of a felony or of a violation of
495 subsection (c) of section 21a-279 or section 53a-58, 53a-61, 53a-61a, 53a-

496 62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d, (2) has been
 497 convicted as delinquent for the commission of a serious juvenile
 498 offense, as defined in section 46b-120, (3) has been discharged from
 499 custody within the preceding twenty years after having been found
 500 not guilty of a crime by reason of mental disease or defect pursuant to
 501 section 53a-13, (4) has been confined in a hospital for persons with
 502 psychiatric disabilities, as defined in section 17a-495, within the
 503 preceding twelve months by order of a probate court, (5) knows that
 504 such person is subject to (A) a restraining or protective order of a court
 505 of this state that has been issued against such person, after notice and
 506 an opportunity to be heard has been provided to such person, in a case
 507 involving the use, attempted use or threatened use of physical force
 508 against another person, or (B) a foreign order of protection, as defined
 509 in section 46b-15a, that has been issued against such person in a case
 510 involving the use, attempted use or threatened use of physical force
 511 against another person, (6) knows that such person is subject to a
 512 firearms seizure order issued pursuant to subsection (d) of section 29-
 513 38c after notice and an opportunity to be heard has been provided to
 514 such person, (7) knows that such person is subject to any other order
 515 issued by a court of competent jurisdiction that prohibits such
 516 possession, (8) is prohibited from shipping, transporting, possessing or
 517 receiving a firearm pursuant to 18 USC 922(g)(4), or [(8)] (9) is an alien
 518 illegally or unlawfully in the United States or an alien without legal
 519 permanent resident status. For the purposes of this section, "convicted"
 520 means having a judgment of conviction entered by a court of
 521 competent jurisdiction.

522 (b) Criminal possession of a pistol or revolver is a class D felony.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2010</i>	29-152m
Sec. 2	<i>October 1, 2010</i>	53-206c
Sec. 3	<i>October 1, 2010</i>	53-206d
Sec. 4	<i>October 1, 2010</i>	New section

Sec. 5	<i>October 1, 2010</i>	New section
Sec. 6	<i>October 1, 2010</i>	51-164n(b)
Sec. 7	<i>October 1, 2010</i>	29-33(e)
Sec. 8	<i>October 1, 2010</i>	29-36f
Sec. 9	<i>October 1, 2010</i>	29-36g
Sec. 10	<i>October 1, 2010</i>	29-37a
Sec. 11	<i>October 1, 2010</i>	29-37g
Sec. 12	<i>October 1, 2010</i>	53a-217
Sec. 13	<i>October 1, 2010</i>	53a-217c

Statement of Purpose:

To require gun show promoters to notify the Commissioner of Public Safety of any planned gun show; to mandate annual firearms safety refresher courses for bail enforcement agents, professional bondsmen and surety bail bond agents; to require that certain firearms and criminal justice course instructors be approved by the Commissioner of Public Safety; to provide an exemption to the offenses of selling, carrying or brandishing a facsimile firearm for a participant in a state certified qualified production; to change the blood alcohol limit for the offense of carrying a firearm while intoxicated to achieve parity with the level for the offense of operating a motor vehicle while intoxicated; to add a date and place of birth requirement for certain forms regarding firearms permits and purchases, to require notification of a firearm purchase to the Department of Public Safety no later than twenty-four hours after purchase; to prohibit an alien without legal permanent resident status from purchasing a firearm; and add to the offenses of criminal possession of a firearm anyone prohibited by any court order from possessing a firearm.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]